

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.7898 of 2008

MD.BASIR ANSARI & ANR
Versus
THE STATE OF BIHAR & ANR

2. 8.5.2008 Heard learned counsel for the petitioners, learned counsel for the complainant and learned Additional Public Prosecutor for the State.

The two petitioners pray for anticipatory bail in a complaint case under Section 498A of the Indian Penal Code and Sections 3/ 4 of the Dowry Prohibition Act.

The petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law of the daughter of the complainant. The allegation in the complaint is that almost immediately after the marriage on 29.10.2006 the seven accused persons including these two petitioners started pressurizing the complainant's daughter to bring Rs 1,00,000/- as dowry and on the same not being complied with she was repeatedly assaulted and ultimately tuned out of the house on 10.4.2007.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated. It is stated that there is no such demand of dowry on their part and they have never been involved in any torture of the alleged victim girl. It is further stated that it is the complainant's daughter who does not want to live with her husband and the said fact has been recorded by the Principal Judge, Family Court, Rohtas (Sasaram) in his order dated 24.7.2007 in the Maintenance Case filed by their daughter-in-law.

Learned counsel for the informant contests the said fact stating that the complainant's daughter is willing to live with her husband but he is unable to challenge what has been recorded by the Principal Judge, Family Court in his order.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Md. Basir Ansari and (2) Noorjahan @ Nurjahan, in the event of their arrest/surrender in the court below within four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 552/2007, Tr. No. 2896/2007 to the satisfaction of the Sub-Divisional Judicial Magistrate, Sasaram, Rohtas, subject to other applicable conditions laid down under Section 438(2) Cr.P.C.

S.Pandey.

(Ramesh Kumar Datta, J.)

